

**REMARKS**

Reconsideration is requested.

The telephonic interviews with the Examiner on October 15, 2009 are acknowledged, with appreciation. The above claim amendments were discussed with the Examiner during the interviews as a proposal for the Examiner's comment to place the application in condition for allowance. The Examiner suggested during the interviews that any further proposed claim amendments should be submitted for consideration in a further Amendment.

While the Amendment After Final Rejection filed September 25, 2009 has not been entered, the Examiner confirmed that the submission of the certified English translation of the priority document has been entered and has overcome the "rejections of claims 1, 2, 5, 7, and 16 under 35 USC 102(a) and rejection of claims 1-8, 10-12 and 16 under 35 USC 103(a)." See Advisory Action dated October 2, 2009.

The Examiner is understood by this statement to have acknowledged that the following rejections have been overcome:

the Section 102 rejection of claims 1, 2, 5, 7 and 16 over Petit (JACS 2005, 127, 8-9 (web published December 10, 2004 on <http://pubs.acs.org/doi:10.1021/ja0443373>);

the Section 103 rejection of claims 1-5, 7, 11 and 16 over Jouguelet et al. (Chemical Physics Letters 318 (2000) 561-564 "Controlling the electronic properties of single-wall carbon nanotubes by chemical doping") in view of Petit; and

the Section 103 rejection of claims 8 and 12 over Jouguelet, Petit and Ajayan (WO2004/046031).

The objection to claim 16 will be moot upon entry of the present Amendment.

The only remaining rejection therefore is understood to be the Section 102 rejection of claims 1, 2, 9, 11, 16 over Ikazaki (U.S. Patent No. 5,695,734).

As explained to the Examiner during the interview of October 15, 2009, unamended claim 9 is dependent from claim 7, which is itself not rejected over Ikazaki and therefore considered patentable over Ikazaki. Claim 9 is believed to be patentable over Ikazaki for reasons similar to the those considered convincing by the Examiner with regard to claim 7.

Claims 3-10 and 12 are believed to contain allowable subject matter.

Claim 3 has been rewritten above as an independent claim, without prejudice, to include the details of claim 16. The Examiner had previously asserted that claim 1, from which unamended claim 3 depended, was a substantial duplicate of claim 16. The applicants believe therefore that basing the revised claim 3 above on claim 16, rather than claim 1 from which it previously depended, does not raise new issues requiring further search and/or consideration. No new matter is added.

Claim 7 has been rewritten above as an independent claim, without prejudice, to include the details of claim 16 and claim 8. The Examiner had previously asserted that claim 1, from which unamended claims 7 and 8 depended, was a substantial duplicate of claim 16. The applicants believe therefore that basing the revised claim 7 above on claim 16, rather than claim 1 from which it previously depended, does not raise new issues requiring further search and/or consideration. No new matter is added.

PENICAUD ET AL.  
Appl. No. 10/585,094  
Atty. Ref.: 5006-9  
Second Amendment After Final Rejection  
October 16, 2009

The above further amends claims 4-6, 9, 10 and 12 to be multiply dependent from the revised claims 3 and 7.

The claims, as amended, are submitted to be in condition for allowance. Entry of the present Amendment and a Notice of Allowance are requested. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:                     /B. J. Sadoff/                      
                    B. J. Sadoff  
                    Reg. No. 36,663

BJS:  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100